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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/495,013	01/31/2000	Aloke Gupta	10001064-1	4256
22879	7590	05/19/2004	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			BRINICH, STEPHEN M	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 05/19/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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Commissioner for Patents

Office Action Summary

Application No.

09/495,013

Applicant(s)

GUPTA ET AL.

Examiner

Stephen M Brinich

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,4-8,14-18,28-36 and 38-42 is/are rejected.
7) ☒ Claim(s) 2,3,9-13,19-27 and 37 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 6, 28-30, & 39 are is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The recitation in claim 6, line 2, of "launching an instance of an application associated with the document" contradicts the recitation in parent claim 1, line 10, of printing the document "without invoking an application associated with the one or more documents".

Claim 28 depends from itself.

The recitation in claim 39, line 2-3, of "selectors, which when invoked, direct the GUI to display an associated document" contradicts the recitation in parent claim 36, line 10, of printing the document "without first displaying the document to the user".

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Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4-5, 7-8, 14-18, 31-36, 38, & 40-42 are rejected under 35 U.S.C. 102(b) as being anticipated by "Introducing SuperPrint: Software For Superior Windows Printing" (hereafter referred to as "the SuperPrint manual").

Re claims 1, 16-18, 32, 36, 38, & 41, the SuperPrint manual discloses (pages 4 & 9) an arrangement for printing one or more documents without opening an application associated with the documents. A user selects documents for printing from a computer by clicking on the text label or icon associated with a given document in a graphical user interface, and in response the SuperPrint "SuperQueue" retrieves the selected documents and sends them to a printing module for printing without requiring further user interaction and without displaying the documents to the user.

Re claim 4, the sending of a document to a printer inherently sends the document content to the printer memory.

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Re claims 5 & 35, the printing operation inherently includes the "interpreting" of the document data into data understood by the printer control arrangement.

Re claims 7 & 42, the list of documents to be printed is readable upon the (not further described) "user profile".

Re claims 8 & 42, the deletion of documents that have finished printing from the aforementioned list of documents to be printed reads on the recited "updating".

Re claim 14, the SuperPrint manual discloses (page 36) the communication of a message to the host computer if an error occurs in the attempt to communicate documents to be printed to the computer.

Re claims 15, 31, & 40, the SuperPrint manual discloses (page 10) the adding of additional documents to the print schedule in response to user input applied by clicking on a graphical user interface.

Re claims 33-34, the text portion of graphical user interface consists of the name of the document that is selected by clicking upon that text (or the adjacent icon).

Allowable Subject Matter

5. Claims 2-3, 9-13, 19-27, & 37 are objected to as being dependent upon a rejected base claim, but would be allowable if

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rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 28-30, insofar as they are understood, would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. The mutually exclusive limitations of claims 6 & 39 (see 35 USC §112 rejection above) do not allow a meaningful determination of whether or not this claim would be allowable if rewritten to overcome the rejection(s) under 35 USC §112, second paragraph.

8. The following is a statement of reasons for the indication of allowable subject matter:

Re claims 2, 19, & 37 (and dependent claims 3 & 20-30), the art of record does not teach or suggest the recited use of a web page display in conjunction with an arrangement for printing one or more documents without opening an application associated with the documents.

Re claims 9 & 11 (and dependent claims 10 & 12-13), the art of record does not teach or suggest the recited use of subsidies and advertisements in conjunction with an arrangement for

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printing one or more documents without opening an application associated with the documents.


Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.


Stephen M Brinich
Examiner
Art Unit 2624

smb
May 14, 2004